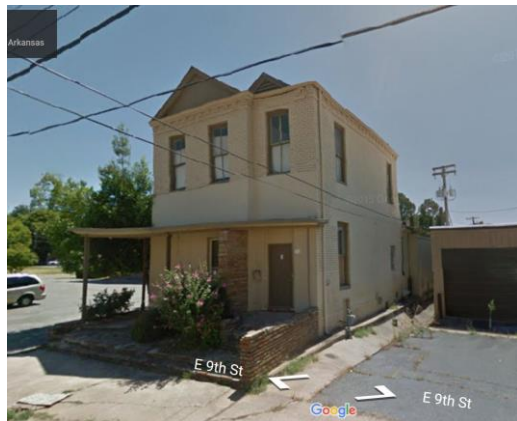


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Google Street view of north and west elevation



Google Street view of east elevation



Photo from 1988 Survey



Contributing and Non-contributing map

PROPOSAL AND WRITTEN ANALYSIS OF THE APPLICATION BASED OFF OF INTENT AND GUIDELINES:

On page 65 of the Guidelines it states under the "Guidelines of Relocation and Demolition":

Preserving and restoring buildings on their original sites should be a priority for all significant structures, which contribute to the overall character of an historic district. However, if the use of the land, on which the building is situated, must significantly change and therefore requires removal of an historic structure, relocating the building within the district is an acceptable alternative to demolition.

Many historic districts encourage vacant lots to be filled with historic structures, which need to be moved from their original sites. This may be appropriate if the

building is compatible with the district's architectural character in regards to style, period, height, scale, materials, and the setting and placement on the new lot. The new foundation walls should be compatible with the architectural style of the building and the surrounding buildings. The Little Rock Office of Planning can advise anyone contemplating relocating a building of the applicable regulations and permits.

Demolition of significant buildings, which contribute to the historic or architectural integrity of an historic district, should not occur. The loss of a "contributing" historic building diminishes the overall character of the district and could jeopardize the National Register Historic District status. Demolition by neglect occurs when routine maintenance procedures are not followed, allowing damage from weather, water, insects or animals. Proper routine maintenance and/or rehabilitation are strongly recommended.

Care should be taken when reviewing for an application for demolition of a structure that was not 50 years old at the time of the survey, but are now or close to 50 years old at the time of application. If the district was resurveyed, these buildings may be contributing, but may not be contributing. These applications should be taken on a case by case basis and carefully examine the architecture of the individual building as well as their context within the district.

Under certain conditions, however, demolition permits may be granted by the Historic District Commission:

- 1. The public safety and welfare requires the removal of the building, as determined by the building or code inspector and concurring reports commissioned by and acceptable to the LRHDC from a structural engineer, architect, or other person expert in historic preservation.*
- 2. Rehabilitation or relocation is impossible due to severe structural instability or irreparable deterioration of a building.*
- 3. Extreme hardship has been demonstrated, proven, and accepted by the LRHDC. Economic hardship relates to the value and potential return of the property, not to the financial status of the property owner.*
- 4. The building has lost its original architectural integrity and no longer contributes to the district.*
- 5. No other reasonable alternative is feasible, including relocation of the building.*

In principal, it is undesirable to demolish buildings in the Historic District partly because that part of the urban fabric is removed. A house removed in a blockface of six houses results in a gap tooth appearance. Corner buildings are important.

The applicant has provided two pieces of documentation concerning the condition of the structure. The first is from Curry's Pest control that states that there is active termite activity occurring in two locations of the building noted by (A) on the plan. There are also notes of water rot to subfloor and joists around plumbing lines. Termite activity is also noted in those areas of rotted joists and subfloors. There is old termite damage to the plate and sill on the west wall. On the cover letter, it states that these areas will require extensive repairs.

The second letter is from Matt Foster, MWF Construction. It states that the foundation has not

been repaired or maintained over the lifetime of the house and that the joist and support beams would need to be replaced. He also notes termite damage. He continues that if the house were to be leveled, extensive plaster repair would be needed. Another point is that the brick veneer is damaged and missing in some spots. The roof has allowed for water intrusion and compromising the floor on the second level.

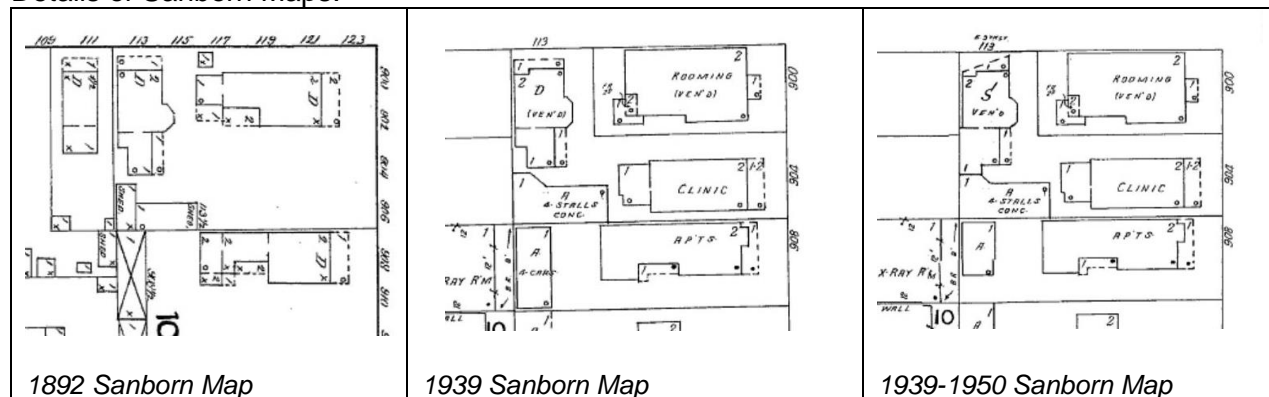
Staff inspected the interior and exterior of the structure on March 31, 2016. The house was separated into three apartments, one upper and two lower. The one story portion of the house in the rear is a separate apartment. The stairwell has been walled in and the banister has been removed or is hidden. There is little historic door trim and window trim left in the structure. The floors are very uneven, but there are no gaping holes.

The brick on the house had been sandblasted in the past by a previous owner, Mary Buchanan. She told Staff that after she sandblasted it, the brick fell off of the bay on the east of the house. She subsequently painted the rest of the brick in an effort to waterproof it.

The porch on the front of the house was renovated by Yandell Johnson, a modernist architect that practiced locally. This is shown in the 1939-1950 Sanborn map. No historic photos of the house, prior to the Johnson remodeling, are known to exist.

The house may not be salvageable due to the termite and water damage and lack of preventative maintenance over the years. If the building is demolished, care should be taken to remove all construction debris and maintain a clean site afterwards. Removal of any architectural fragments for reuse would be positive.

Details of Sanborn Maps:



The Sanborn maps above show the changes to the area. In 1892, there was another house at 111 E. 9th to the west of the project site that also faced north. There are two one story sheds in the rear of the property. By 1939, the sheds had been replaced by the concrete structure that is there now for automobile storage and stalls. The house at 111 E 9th had been removed. Staff has been told that the house at 900 Scott had been moved south sometime between 1892 and 1939 to 904 Scott and was turned into a clinic. A new building (rooming house) was built on the corner. By the 1939-1950 map, the house at 113 E 9th had been altered on the front and an addition on the southwest corner of the house had been completed. Since the last map, the structure at 900 Scott has been removed, the house at 908 burned last year, the shed at 908 was removed, and the roof at the concrete garage stalls on the site had been removed.

NEIGHBORHOOD COMMENTS AND REACTION: At the time of distribution, there were no comments regarding this application.

STAFF RECOMMENDATION: Approval with the following conditions:

1. Obtaining a demolition permit.

COMMISSION ACTION:

May 9, 2016

Brian Minyard, Staff, made a presentation to the Commission. Vice-Chair Jeremiah Russell made a request that Staff check the minutes for the date of construction for this structure.

Mark Brown and Jill Judy were present as applicants. Ms. Judy spoke that they bought the building six months ago and that it had been vacant for a while. She noted that they had saved a lot of buildings in the area. She spoke of issues with dumpster placement and parking. She talked about the configuration of the lots and that the demolition of this building would not change the percentage of contributing and non-contributing nor would it change the fabric of the neighborhood. Without historic photos, there is no way to make it contributing. She continued to speak of the faults in the foundation and that the brick veneer would have to be replaced. She stated that the brick may not be original to the structure.

Mark Brown stated that the brick has settled around the windows and that the new bricks would not make it historic.

Vice Chair Russell asked if they were demolishing the structure for access. What was the intent of the demolition? He continued to ask if they intended to build anything. The applicant clarified that they did not intend to erect a building on this property. He mentioned that 908 was vacant now and with the empty lot on the corner, it would be ideal to have houses in those spots. Ms. Judy stated that there is only five feet of access on the side of the house at 113 E 9th.

Commissioner Page Wilson asked if the reason to tear it down was for trash dumpster and parking. Mr. Brown replied that it was an eyesore and that it was not worth rebuilding. The demolition was part of the overall revitalization. Ms. Judy stated that there was no access to the either back yard for parking. She stated that there was no on-street parking or back yard parking. Commissioner Wilson stated that this neighborhood was not car-centric. To that, Ms. Judy asked if he would build something with no parking. Commissioner Wilson replied that they can park in the street.

Mr. Brown commented that the building used to be a slum building. They received a total of \$1500.00 per month in rents as is. When asked, he replied that there was nothing in this building.

Vice Chair Russell agreed that it was an eyesore, but stated that neighborhood revitalization is not an empty lot.

Commissioner Toni Johnson stated that demolitions are the most serious COAs that the Commission hears. She noted the letter from Matt Foster and the defects of the building. She asked if they would consider deferring to get a letter from a preservation professional, AHPP, an engineer, etc. to help clarify the issue. Ms. Judy stated that they owned three buildings on this block and did not want a slum property there. She stated that it was economically unfeasible to rehab the structure.

Commissioner Wilson said that preservation is the number one duty of the Commission. He wants to be responsible and follow the process. He would be amenable to the deferral. He asked who had the qualifications other than the city to make the judgement on if it cannot be rehabbed.

Commissioner Johnson suggested that they ask Bryan Driscoll of AHPP to visit the property. She commented that it would be an easier vote if there was someone in the preservation field to say that demolition was appropriate. A third party opinion would be a stronger case.

It was discussed and agreed that this deferral was at the request of the Commission. The applicant asked for the July meeting. The deferral was requested for two months till the July meeting for the purpose of gathering some information from an independent source.

A motion was made to defer to the July 2016 hearing by Commissioner Johnson and seconded by Vice Chair Russell. The vote was 5 ayes, 0 noes, 1 open position (QQA) and 1 recusal (Kelley).

STAFF UPDATE:

July 11, 2016

Staff has not been in communication with the applicant since the last hearing.

STAFF RECOMMENDATION: Approval with the following conditions:

1. Obtaining a demolition permit.



DEPARTMENT OF PLANNING AND DEVELOPMENT

723 West Markham Street
Little Rock, Arkansas 72201-1334
Phone: (501) 371-4790 Fax: (501) 399-3435

APPLICATION FOR A
CERTIFICATE OF APPROPRIATENESS

1. Application Date: 3-18-2016
2. Date of Public Hearing: May 9, 2016 at 5:00 p.m.
3. Address of Property: 113 E 9th
4. Legal Description of Property: _____
5. Property Owner (Printed Name, Address, Phone, Email):
Mark Brown + Jill Judy - 400 W. 18th St. L.R. Ar. 72206
jillandmarkbrown@yahoo.com
6. Owner's Agent: (Printed Name, Address, Phone, Email): _____
7. Brief Project Description: demolition of building
8. Estimated Cost of Improvements: \$15,000
9. Zoning Classification: Is the proposed change a permitted use? ☒ Yes ☐ No
10. Signature of Owner or Agent: [Signature]
(The owner will need to authorize any Agent or person representing the owner at the public hearing).

NOTE: Should there be changes during construction (design, materials, size, etc.) from the approved COA, applicant shall notify Commission staff and take appropriate actions. Approval by the Commission does not excuse applicant or property from compliance with other applicable codes, ordinances or policies of the city unless stated by the Commission or staff. Responsibility for identifying such codes, ordinances, or policies rests with the applicant, owner, or agent.

(This section to be completed by staff):

Little Rock Historic District Commission Action

☐ Denied ☐ Withdrawn ☐ Approved ☐ Approved with Conditions ☐ See Attached Conditions

Staff Signature: _____ Date: _____

Revised 8/2012

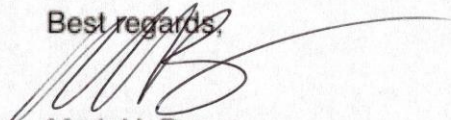
Application

April 25, 2016

In regard to the application for a certificate of appropriateness, please find attached for 113 E. 9th St.

- (1) Termite inspection letter
- (2) Termite inspection report
- (3) Affidavit for Notice of Public Hearing
- (4) List of property owners within 150 feet
- (5) Certified mail receipts for having sent Notices of Public Hearing
- (6) Professional assessment letter from contractor, MWF Construction

Best regards,



Mark H. Brown

Cover Letter

OWNER/OPERATOR
Scott Pinney

OWNER/OFFICE MANAGER
Tammy Curry Pinney

DIVISION MANAGERS
David Foster
Richard Sims



202 Bishop Street
Little Rock, AR 72201
(501) 372-2847
Fax (501) 376-8336
Conway (501) 470-2847
Benton (501) 778-2847
www.currysp PestControl.com

4/25/16

To whom it may concern:

The results of our inspection show termite activity up the stiff leg to the plate, sill, joists and subfloor. All of these areas have damage and in our opinion need extensive repairs. There is water rot around all plumbing areas with damage to subfloors and joists which all are needing repairs. Wood debris throughout crawl also needs to be removed.

Sincerely,

Julie Suhm

Curry's Pest Control

375-0788

Letter from Curry's Pest Control

"Arkansas' First - Arkansas' Best"

202 Bishop Street
Little Rock, AR 72201

372-BUGS
Little Rock

Curry's
SINCE 1926

**TERMITE, PEST &
ANIMAL CONTROL**
www.curryspetcontrol.com

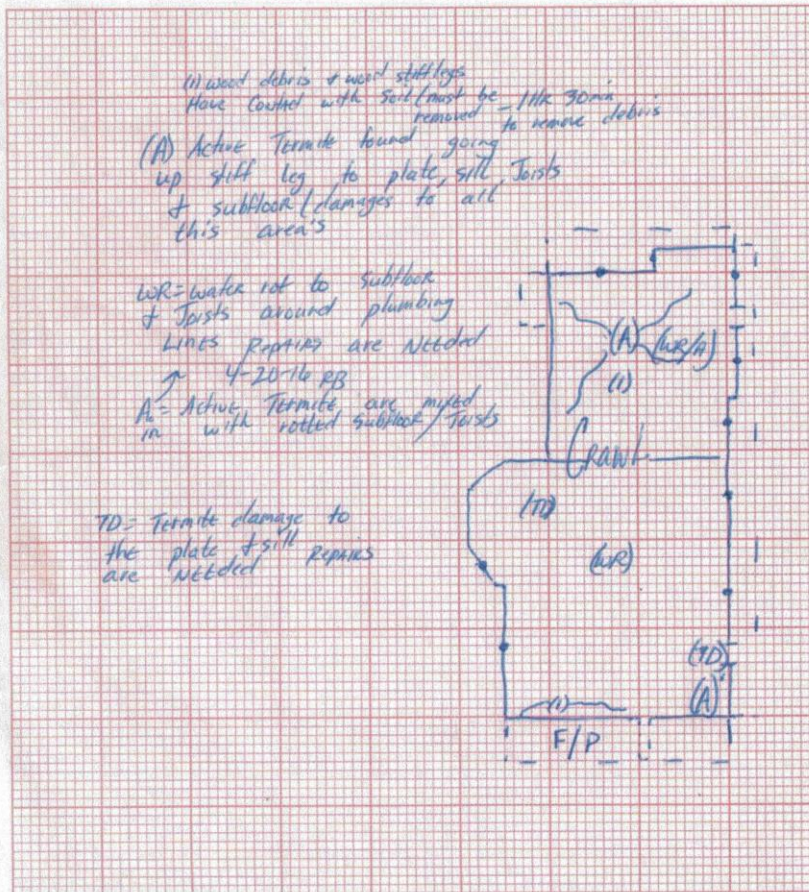
470-BUGS
Conway

778-BUGS
Benton

IN OUR FOURTH GENERATION

ESTIMATE & INSPECTION SHEET

Inspection Date 4-20-2016 Name Jill Judy
Address 113 East 9th Street Little Rock, ARK 72202



Inspected by: X Roy Brown

Accepted by: X

Phone Number: 414-3241

Termites Found ☒ Yes ☐ No
Beetles Found ☐ Yes ☒ No

EXTERIOR TYPE

☒ Brick ☐ Rock ☐ Stucco
☒ Siding: Wood, Vinyl, Other

STRUCTURE SPECIFICATIONS

CRAWL SPACE FOUNDATION TYPE

☐ Block ☒ Brick
☐ Solid ☐ Other

Avg. Clearance

Ducts in crawl: ☐ Yes ☐ No

Vapor Barrier: ☐ Yes ☒ No

SLAB FOUNDATION TYPE

☐ Monolithic ☐ Supported
☐ Basement ☐ Floating ☐ Other

Evidence of previous treatment

☐ Yes ☒ No

Evidence:

TREATMENT SPECIFICATIONS

Drill & treat the following:

☐ Carport ☐ Garage ☒ Porch
☐ Driveway ☐ Patio ☐ Steps
☒ Sidewalks ☐ Piers ☐ Veneer
☐ Foundation ☐ Other:

Trench/Rod & treat soil at:

☒ Exterior foundation ☐ Piers
☒ Interior foundation ☐ Pipes
☐ Skirting/underpinning ☐ Decks
☐ Other

Remove wood debris / forms

Wipe / scrape down termite tubes

MISCELLANEOUS WORK

1. Visqueen Vapor Barrier ☐
2. Borate Treatment ☐
3. Dig scuttle holes ☐
4. Install vents ☐
5. Screen Vents ☐
6. Seal holes ☐
7. Install curbs ☐
8. Build/repair service door ☐
9. Enlarge/make access ☐
10. Cap Stiff Legs ☐
11. Lower soil ☐
12. Other: ☐
13. Repair: ☐
14. Repair: ☐
15. ☐

Remarks:

Chemical Used

Annual Premium \$ 130

Termite Treatment \$ 520.00

Subtotal \$

Tax \$ 46.80

State Fee \$

TOTAL \$ 566.80

Sketch from Curry's Pest Control



TO: Whom it may concern
FROM: Matt Foster
DATE: April 25, 2016
SUBJECT: 113 E 9th Street

Jill Judy and Mark Brown solicited my professional opinion regarding the structural integrity of the structure at 113 E 9th Street and below are my cursory findings:

- The foundation has not been repaired or maintained over the house's lifetime. Joists and support beams have irreparable damage and will need to be replaced. Sub-floor near plumbing is rotten and there is heavy termite damage,
- The structure will need to be leveled due to sagging joist issues mentioned above. It is my opinion that this will cause any existing plaster to crack or fall and it will need to be replaced,
- The brick veneer is damaged and in some places missing. I recommend complete replacement of brick façade. Other brick issues include poor repairs above lintel on north façade, brick walls dangerously bowed on north side of house, and all brick has been painted.
- Poor roof condition has allowed for water-intrusion, compromising floor integrity on the second level. Floors are currently covered with carpet and vinyl flooring so extent of exact damage is unknown. Roof and decking will need to be replaced.
- All interior historic features, such as mantles, stairwell woodwork or moldings have been removed. There is minimal existing picture railing.
- All electrical wiring and plumbing will have to be replaced.

In summary, very little of this structure would remain if its life-safety issues are addressed. My company has restored numerous historic buildings in this town with impressive results; however, I believe that to try to rebuild 113 E 9th Street would result in recreating a "new construction" home at a rebuild cost much greater than the end result would merit.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Foster", written over a light blue horizontal line.

Matt Foster

MWF Construction

Letter from MWF Matt Foster